

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 3882-01
BILL NO. HB 1627
SUBJECT: Ethics; Office of Administration
TYPE: Original
DATE: March 8, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration, Information Technology (OTI)** assume the proposed legislation would have no fiscal impact on its agency.

Officials from the **Missouri Ethics Commission (MEC)** assume the proposed legislation would have no fiscal impact on its agency.

In a similar previous proposal, officials from the **Attorney General's Office (AGO)** assumed any costs with the proposed legislation would be absorbed by its agency.

In a similar previous proposal, officials from the **Department of Corrections (DOC)** assumed the proposed legislation would have no fiscal impact or a minimal impact that can be absorbed per year. Changes in purchasing requirements proposed by this legislation and resulting potential state fiscal impact can best be addressed by the Division of Purchasing in the Office of Administration.

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court. If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational costs either through incarceration (average of \$35.61 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average of \$2.47 per offender, per day).

The following factors contribute to DOC's minimal assumption:

- ▶ DOC assumes the narrow scope of the crime will not encompass a large number of offenders
- ▶ the low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence
- ▶ the probability exists that offenders would be charged with a similar but more serious offense

Supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed that the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2001	FY 2002	FY 2003
	0	0	0
<u>FISCAL IMPACT - Local Government</u>	FY 2001	FY 2002	FY 2003
	0	0	0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation prohibits a current or any former Chief Information Officer of the Office of Administration or a person who served in a similar position and who has had the capacity to influence computer-related purchases, either during the Information Officer's employment or for a period of 2 years after leaving the position, from receiving any gift, honoraria, meals, lodging, travel, speaking fees, or reimbursement, or from being employed or retained by any computer vendor, manufacturer, supplier, wholesaler, or retailer which has contracted with the state of Missouri.

Persons violating this prohibition are guilty of a class D felony. Entities that have employed or given gifts to the Information Officer over the past 5 years must report all expenditures to the Missouri Ethics Commission by October 1, 2000, or be excluded from the state procurement process.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Office of Administration, Information Technology
Missouri Ethics Commission
Attorney General's Office
Department of Corrections

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large, looped initial "J" and a cursive script for the rest of the name.

Jeanne Jarrett, CPA
Director
March 8, 2000